

## **REMARKS**

Claims 1-18 are pending. All claims 1-18 are believed to be allowable over the references cited by the Examiner as discussed below. Accordingly, a Notice of Allowance for the present application is respectfully requested.

### **Rejection of Claims 1-3, 5, 6, 10, 11, 13, 14, and 18 Under 35 U.S.C. §103(a)**

Claims 1-3, 5, 6, 10, 11, 13, 14, and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nassimi in view of Lin.

Independent claim 1 generally recites a wireless headset having a microphone, a voice tube, and an antenna at least partially integrated within the thickness of the voice tube, and a transmitter. The thickness is expressly defined in claim 1 as being between an interior and an exterior surface of the voice tube. Independent claim 11 similarly recites a voice tube having a tubular member defining a lumen, and an antenna at least partially integrated within the thickness of the tubular member. The thickness is also expressly defined in claim 11 as being between an interior and an exterior surface of the tubular member.

The Examiner contends that Nassimi's antenna is at least partially integrated within the voice tube (citing page, 3 paragraph [0037] that the antenna is within the tube). However, Nassimi's antenna is placed inside of the interior surface of the tube, i.e., in the lumen, rather than integrated within the thickness of the tube, i.e. between the interior and exterior surface of the voice tube.

Regardless, the Examiner relies on Lin to teach an antenna integrated within the thickness of the tube (citing FIG. 2, reference 26a). However, Lin discloses a tire pressure monitoring device that includes an antenna 26a within the rubber wall 422 of the brake oil tube 42. (Col. 3, lines 44-49).

The Examiner notes that the motivation is so that the antenna is better protected from damage. However, in Lin, because the tube 42 carries brake oil, Lin provides the antenna within the rubber wall 422 so as to protect the antenna from the brake oil. In contrast, the tube in Nassimi does not carry a liquid as in Lin and as such, by placing the antenna within the lumen of the tube, Nassimi is already protecting the antenna from damage.

Thus it would not have been obvious to incorporate the antenna of Lin into the voice tube of Nassimi.

Withdrawal of the rejection of independent claims 1 and 11 as well as claims 2, 3, 5, 6, 10, 13, 14, and 18 dependent variously therefrom, under 35 U.S.C. §102(e) is respectfully requested.

### **Rejection Under 35 U.S.C. §103**

Claims 4, 8, 12, and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nassismi in view of Lin in further view of Scott.

Claims 7 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nassismi in view of Lin in further view of Pallai.

Claims 9 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nassimi in view of Lin in further view of Scott and Pallai.

However, the addition of the secondary references Scott and/or Pallai does not make up for the deficiencies of Nassimi in view of Lin as discussed above. Thus, claims 4, 7-9, 12, and 15-17, dependent various from independent claims 1 and 11, are also believed to be allowable for at least similar reasons as those discussed above with respect to independent claims 1 and 11. Withdrawal of the rejection of dependent claims 4, 7-9, 12, and 15-17 under 35 U.S.C. §103(a) is respectfully requested.

### **CONCLUSION**

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

In the unlikely event that the transmittal letter accompanying this document is separated from this document and the Patent Office determines that an Extension of Time under 37 CFR 1.136 and/or any other relief is required, Applicant hereby petitions for any required relief including Extensions of Time and/or any other relief and authorizes the Commissioner to charge

the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-2315 (Order No. 01-7118).

Respectfully submitted,



---

Jung-hua Kuo, Reg. No. 41,918 for  
Peter Hsieh, Reg. No. 44,780  
Plantronics, Inc.  
345 Encinal Street  
P.O. Box 635  
Santa Cruz, CA 95060-0635  
Telephone: (831) 458-7758  
Facsimile: (831) 426-2965